

3. Defendant is working diligently to present his legal arguments to the Court as concisely as possible. However, the page limits set forth in Local Rule 7(e) and paragraph 5(a)(iii) of this Court's General Order and Guidelines appear to contemplate separate memoranda of up to 45 pages each supporting and opposing a single motion, not a single brief supporting one motion and opposing another. Furthermore, given the importance and complexity of the issues raised in this case, which involve whether the federal courts may ever resolve inter-Branch disputes between Congress and the Executive over access to information, threshold questions pertaining to whether there is Article III jurisdiction, statutory subject matter jurisdiction, and a cause of action here, and merits issues regarding whether a congressional committee can compel a former Counsel to the President to testify on matters relating to his official duties, Defendant believes that a combined brief of up to 70 pages (20 pages less than would be allowed in total for separate briefs) is necessary and will enable him to best assist the Court in resolving the significant and weighty questions presented.

4. Accordingly, Defendant respectfully seeks leave to file a combined motion and opposition of up to 70 pages.

5. Pursuant to Local Rule 7(m), counsel for Defendant conferred with counsel for Plaintiff, who consents to this motion.

Dated: September 27, 2019

Respectfully submitted,

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

COMMITTEE ON THE JUDICIARY,
UNITED STATES HOUSE
OF REPRESENTATIVES,

Plaintiff,

v.

DONALD F. MCGAHN, II

Defendant.

No. 1:19-cv-2379 (KBJ)

[PROPOSED] ORDER

UPON CONSIDERATION of Defendant's Consent Motion for Leave to Exceed Page Limit, it is hereby:

ORDERED that the motion is granted; and it is

FURTHER ORDERED that Defendant's forthcoming memorandum of law in support of his combined motion for summary judgment and opposition to Plaintiff's motion for partial summary judgment may be up to 70 pages in length.

IT IS SO ORDERED.

Date: _____

HON. KETANJI BROWN JACKSON
United States District Judge